



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#12

In re application of : Confirmation No. 2874
Keiji KAMIYAMA et al. : Docket No. 2001_0710A
Serial No. 09/857,887 : Group Art Unit 1654
Filed June 13, 2001 : Examiner Michael V. Meller

POLYOL COMPOUNDS, THEIR PRODUCTION
AND USE

RESPONSE

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Assistant Commissioner for Patents,
Washington, D.C.

Sir:

This is responsive to the Official Action dated March 21, 2003.

The Action constitutes a requirement for restriction and an election of species.

Applicants elect to prosecute the invention of Group I, claims 1-11, with traverse.

The restriction requirement is untenable because all of the claims do possess a special technical feature. Specifically, all of the non-elected claims possess the special technical feature of being limited to containing or using the compound according to claim 1.

For the species, Applicants elect the compound of Example 14 and 42, which are both the same compound, namely (S)-3-[(2S,3R,4R,5S)-5-(L-Norvalyl-(S)-2-aminobutyl)amino-2,3,4,6-tetrahydroxyhexanoyl]amino-3-phenylpropionic acid.

Favorable action on the merits is solicited.

Respectfully submitted,

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